

ATTENTION: PIER & PILING APPLICANTS

1. Please complete and sign the Joint Federal/State Application Form.
2. Please sign this Notification Form and submit it with your Joint Federal/State Application.

State of Maryland Pier and Piling Notification Form

PRIVATE WATERFRONT PROPERTY OWNERS AND NON-MARINA COMMERCIAL WATERFRONT PROPERTY OWNERS are not required to obtain an authorization from the State of Maryland to construct and install structures in tidal waters of the State of Maryland provided that they agree to perform the activities in accordance with the special and general conditions described below and submit a Joint Federal/State Application.

If a proposal does NOT meet the conditions of this authorization, DNR will notify the project proponent within 10 days of receipt of application. IF YOU DO NOT HEAR FROM THE STATE WITHIN 10 DAYS AFTER YOU SEND IN YOUR SIGNED NOTIFICATION FORM YOU CAN ASSUME YOU MEET THE NOTIFICATION FORM CRITERIA.

SPECIAL CONDITIONS

Private piers, boat hoists or lifts, mooring piles, and osprey poles that meet all of the following criteria are exempt from obtaining a license or permit directly from MDE where local authorization has been granted.

1. Only one pier, and four boat hoists or lifts per property;
2. Width of the main section of the pier is not greater than 6 feet;
3. Total area of all fixed and floating auxiliary platforms including T's, L's, and step down platforms does not exceed 200 square feet and are not located over vegetated wetlands;
4. Platforms are not constructed within the landward 50% of the main pier section;
5. Project does not include more than six mooring piles or create more than four boat slips;
6. Project does not include more than two osprey poles per property;
7. A maximum of two, 3-foot wide finger piers not exceeding 50 percent of the proposed slip length are constructed on the landward side of the end of a private pier;
8. Project meets the minimum extended property line setback requirements established by the local jurisdictions in which the activity is proposed;
9. In localities where there are no set back requirements, structure(s) is constructed in a manner so as not to obstruct ingress and egress from adjacent properties;
10. Piers over vegetated tidal wetlands are constructed a minimum of 3 feet above the wetlands;
11. Pier does not extend within 100 feet of a ski course approved by DNR;
12. Pier does not extend more than 100 feet channelward of the mean high water line and/or vegetated tidal wetlands; or a distance of 25 percent of the width of the waterway, which ever is less;
13. Project does not obstruct the flow of the tide; and
14. A signed copy of this notification with a completed Joint Federal/State Application including plans is sent to the Regulatory Services Coordination Office 10 days prior to the start of any construction.

GENERAL CONDITIONS

1. Property owners must comply with all Federal, State and local requirements and regulations, including the State of Maryland's Chesapeake Bay Critical Area Criteria where applicable, pertaining to construction and installation of structure(s). Any structure(s) installed shall be constructed in such a manner to comply with local (County and or City) setback requirements, so as not to obstruct ingress and egress from adjacent properties.
2. A pier may be constructed in and over marsh areas to allow access provided that these areas are not disturbed. Piers shall be attached to uplands above the mean high water line so that shading of marsh and disturbance of fish and wildlife habitat are minimized. Mooring piles are not authorized in marsh areas for the purposes of boat moorings unless sufficient water depth allows mooring without alteration of the marsh. Heavy equipment utilized in pier construction over marshes shall be placed on mats or other suitable material to minimize damage to the marsh.

3. No structure(s) is allowed under this authorization if another similar type of structure(s) exists on the same property, unless the proposed work is an extension to an existing pier and the total resulting structure does not exceed the limits of this authorization, or unless the total number of auxiliary structures or Osprey poles will not exceed the limits of this authorization.
4. No petroleum dispensing apparatus may be placed or stored on piers or floating docks.
5. MDE reserves the right to determine whether or not a particular structure(s) qualifies for this authorization.
6. The shared use of piers, auxiliary structures and/or mooring piles by adjoining property owners is encouraged and strongly recommended wherever possible.
7. Mooring pile(s) allowed by this authorization will be used only for the purpose of mooring vessels by residential waterfront property owners and non-marina commercial property owners.
8. The property owner shall maintain the activity allowed by this authorization in good condition and in compliance with the terms and conditions of this authorization.
9. The property owner shall allow representatives from MDE to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this authorization.
10. This authorization does not convey any public or private property rights. The land and water below the pier and the air above remain property of the State of Maryland.
11. This authorization does not allow any injury to the property or rights of others.
12. The State of Maryland does not assume any liability for the following:
 - a. Damages to the authorized project as a result of other permitted or unpermitted activities or from natural causes;
 - b. Damages to the authorized project as a result of current or future activities undertaken by or on behalf of the State of Maryland in the public interest;
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity allowed by this authorization;
 - d. Design or construction deficiencies associated with the authorized work; and
 - e. Damage claims associated with any future modification, suspension, or revocation of this authorization.
13. MDE may re-evaluate its decision on this authorization or any authority granted under it at any time circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to, the following:
 - a. The property owner fails to comply with the terms and conditions of this authorization;
 - b. The information provided by the property owner in the notification form is false, incomplete, or inaccurate; and
 - c. Significant new information becomes available which was not considered in reaching the original public interest decision.Such a re-evaluation may result in a determination that it is appropriate to use the suspension, modification, revocation or enforcement procedures such as those contained in Title 9.
14. The property owner's use of the allowed activity must not interfere with the public's right to free navigation on all navigable waters of the State.

I have read and understand the criteria set forth in this Notification Form and will perform all work herein described in accordance with the conditions.

SIGNATURE OF PROPERTY OWNER _____

Address: _____ County: _____

Date: _____